

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

**U.S. TRUSTEE'S EX PARTE MOTION TO REOPEN CASE, FOR AUTHORITY
TO APPOINT TRUSTEE, AND REQUEST FOR WAIVER OF FILING FEE**

Comes now, the U.S. Trustee, Samuel K. Crocker, as a party in interest, by and through his undersigned attorney, and moves the Court pursuant to 11 U.S.C. § 350(b) and Local Rule 9013-1(g)(2)(ix) to reopen the Debtors' case in order to administer assets. The U.S. Trustee also request pursuant to Rule 5010 of the Federal Rules of Bankruptcy Procedure for authority to appoint a trustee in this case once it is reopened in order to protect the interests of creditors and to ensure efficient administration of the case. Finally, the U.S. Trustee requests pursuant to 11 U.S.C. § 105(a) the Court waive the reopening fee. In support of this Motion, the U.S. Trustee states as follows:

1. The Debtors filed a voluntary petition under Chapter 7 case on October 16, 2005.
2. The Chapter 7 meeting of creditors was held on December 5, 2005.
3. The Debtors received a discharge on February 15, 2006.
4. The case was closed by the Clerk of Court on March 21, 2008.
5. On May 5, 2017, counsel for the U.S. Trustee was notified about the existence of additional assets that are likely property of the bankruptcy estate and should be administered for the benefit of creditors.

WHEREFORE, the U. S. Trustee respectfully requests the Court enter an Order: (i) reopening Case No. 3:05-bk-37854-SHB; (ii) authorizing the appointment of a trustee in the reopened case, (iii) waiving the reopening fee, and (iv) for such other relief as the Court deems appropriate.

SAMUEL K. CROCKER
United States Trustee, Region 8

/s/ *Tiffany A. DiIorio*
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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2017, a true and exact copy of the foregoing *U.S. Trustee's Ex Parte Motion to Reopen Case, for Authority to Appoint Trustee, and Request for Waiver of Filing Fee*, Certificate of Service, and Proposed Order were electronically filed in the Court's Electronic Case Filing System and will be served by operation of the Court's electronic filing system on the following:

- F. Scott Milligan fsm@littleandmilligan.com
- J. Myers Morton myers.morton@knoxcounty.org, linda.mcginnis@knoxcounty.org
- Thomas A. Snapp tslaw@live.com
- W. Grey Steed tn37@ecfcbis.com

and via U.S. Mail, postage prepaid to:

Benjamin Franklin Courier

Lynne Mahan Courier

834 Canton Hollow Rd. 7A

Knoxville, TN 37934

Debtors

/s/ Tiffany A. DiIorio
Tiffany A. DiIorio